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May 22, 2007

**VIA ELECTRONIC MAIL AND HAND DELIVERY**

The Honorable Vincent J. Poppiti  
Special Master  
Blank Rome LLP  
Chase Manhattan Centre, Suite 800  
Wilmington, DE 19801-4226

**Re: *Advanced Micro Devices, Inc., et al. v. Intel Corporation, et al.*, C.A. No. 05-441-JJF; *In re Intel Corporation*, C.A. No. 05-MD-1717-JJF; and *Phil Paul, et al. v. Intel Corporation*, C.A. 05-485-JJF (DM4)**

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Dear Special Master Poppiti:

We write to advise Your Honor of a dispute that has arisen between AMD and Intel relating to discovery concerning Intel's evidence preservation issues.

We believe that Intel's outside counsel were involved as actors in developing Intel's document preservation plans at the outset of the case, in monitoring its document preservation activities during the course of the case, in investigating the nature and scope of its document retention lapses when they first surfaced last fall, in formulating its remediation plan, and in actually supervising its current remediation efforts. Given the issues that have now arisen, the nature and scope of Intel's disclosures to the Court, and the role outside counsel have played as actors in relation to the document retention issues that are before the Court, there are likely to be substantial privilege and work product questions that will need to be sorted out in due course. In the meantime, however, we have asked Intel to commit to the ongoing preservation by its outside counsel and consultants of documents responsive to AMD's outstanding document requests served on April 10 and May 15, respectively, concerning Intel's document preservation lapses and proposed remediation plan, or that are otherwise relevant to those document preservation failures.

The Honorable Vincent J. Poppiti  
May 22, 2007  
Page 2

Inexplicably, Intel has refused to give us that commitment. Accordingly, AMD now faces the potential loss of relevant and likely critical evidence concerning Intel's evidence preservation lapses and remediation activities. Given the seriousness of the issues in dispute, AMD respectfully requests that Your Honor set an expedited briefing schedule on this issue during the telephonic hearing scheduled for Thursday, May 24, 2007 at 11:00 a.m. During the hearing, AMD will also request that an interim order be entered to prevent any loss of evidence by Intel outside counsel and consultants before AMD's motion can be briefed and decided.

Of course, if Your Honor should have any questions or concerns, undersigned counsel remains available at the Special Master's convenience.

Respectfully,

/s/ Frederick L. Cottrell, III

Frederick L. Cottrell, III (#2555)

FLC,III/afg

cc: Clerk of the Court (By Electronic Filing)  
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